1949.

File No. Prev. of Prostitution II / 49 (N)

K

P & E.

Legal Deptt.

B BRANCH

Subject:— Notifications under the Bombay Prevention of Prostitution Act, 1923

File No. Prev. of Prostitution II / 49 (N)

Government of Bombay

Home Department,

Bombay Castle, August 1949.

O R D E R .

The Government of Bombay is pleased to accord sanction under sub-section(3) of section 9 of the Bombay Prevention of Prostitution Act, 1923(Bom.XI of 1923), to the issue of a notice by the Commissioner of Police to each of the women specified in column 1 of the Schedule appended hereto to remove herself to the place specified against her in column 2 thereof by the route specified against it in column 3 thereof within a period of eight days from the date of the notice by the Commissioner of Police.

SCHEDULE.

Name of Woman 1	Name of place 2	Route. 3

By order of the Governor of Bombay

Deputy Secretary to Government.

N.R.D.
1-6-56
C.4

K.S.R.
6/6

Local Department.

The proposed Government sanction will be challenged in the court and will be upset, as several such orders under the Public Security Measures Act have been. The Police Commissioner will have to refer the case of each woman, clearly pointing under what part of section 9(1) of the Bombay Prevention of Prostitution Act, 1923, it falls and and to obtain the sanction of Government in each case. The sanction order will have to set out the reasons for detainment clearly. Attention is invited to H.L.A.'s opinions Nos. 7837, dated the 26th October 1938 and No. 1451, dated the 18th February 1942. The sanctioning order under sub-section(3) of section 9 of the Act should be specific in respect of the place, route and time.

The route would have to be specified in the sanction order. The name of the place should be specific and not vague. For instance Bijapur, Belgaum, Dharwar may mean either Bijapur District or Bijapur taluka or Bijapur town. It is presumed that the town in each case is intended.

Sd/- J.R.D.
4-8

Additional Secretary to Government.

H.R.D.
1-8-'46
C.4

U.O. to H.D. No. 6837 dated the 5th August '46.

Legal Department

A revised draft sanction order is sent herewith.

2. The Commissioner of Police may be instructed to include the following para in the notice which he is going to issue, namely:-

"Whereas the Government of Bombay has accorded its sanction to the making of the following order; made now, therefore, in exercise etc."

Each notice will, in that case, show that the necessary sanction was obtained.

Sd/- J.R.D.
24-11

Additional Secretary to Government.

M.R.D.
1-6-50
C.A

U.O. to P.D., No. 23505, dated the 24th November 1949.

GOVERNMENT OF BOMBAY.

Home Department.

Bombay Castle, November 1949.

O R D E R.

Whereas the Commissioner of Police, Bombay has satisfied himself that a woman named resides in room on the floor of the building known as Lambi Chawl, situated at Subhaji Street, Kamathipura Road No.1 in which the business of a common prostitute is carried on ;

And whereas the Commissioner of Police has requested the Government of Bombay under sub-section(3)of section 9 of theBombay Prevention of prostitution Act, 1923 (Bom.XI of 1923) to accord its sanction to the making of an order by him under sub-section(1) of section 9 of the said Act directing the said woman to remove herself to by rail whichever within a period of eight days from the date of the service of the notice upon her by the Commissioner of Police;

Now, therefore, the Government of Bombay is pleased to accord sanction under sub-section(3) of section 9 of the said Act to the issue of a notice by the Commissioner of Police, to the said woman to remove herself to within the noted period proposed by the Commissioner of Police.

By order of the Governor of Bombay.

Deputy Secretary to Government.

M.N.D.
1-11-49
C.A.